

### **Remarks**

Claims 1-25 are pending in the application. Claims 1-22 and 24-25 were rejected and Claim 23 was allowed. Reconsideration of the claims is respectfully requested. No new matter has been added.

### **Rejection Under 35 U.S.C. § 102**

Claims 1-4, 6-7, 15, 18-19 and 22-25 were rejected under § 102(b) as being anticipated by U.S. Patent No. 4,479,992 to Häseker et al. (hereinafter "Häseker '992"). Claim 1 recites an interior lining component for a vehicle roof having at least one decorative layer, an intermediate layer, and a support layer. The support layer requires "at least one lower and one upper foam panel which are interconnected by pressing" (emphasis added). Contrary to the Examiner's assertions, Häseker '992 does not disclose lower and upper foam panels interconnected by pressing. Instead, Häseker '992 discloses a roof soffit that includes a honeycomb support layer 1 having a glued cardboard structure (see column 2, lines 22-25). In another embodiment of the roof soffit of Häseker '992, the support layer 1 consists of "a plurality of mutually bonded together corrugated cardboard layers" (see column 2, lines 56-60). Thus, Häseker '992 does not disclose panels as claimed. Specifically, Häseker '992 does not disclose a support layer made of foam panels as required by claim 1. Furthermore, Häseker '992 does not disclose foam panels interconnected by pressing. The only mention of pressing in Häseker '992 is made in reference to a structure made of "pressed and resin-bonded felts" which is a completely different material from that claimed. Moreover, this quotation refers to a prior art structure, not to the invention in Häseker '992. Consequently, the Examiner has failed to establish a *prima facie* case and Applicants respectfully request that this rejection be withdrawn. Since claims 2-22, 24 and 25 depend on claim 1, Applicants believe these claims are allowable for the same reasons.

Even if a *prima facie* case were established for claim 1, the rejection of claims 2-4, 6 and 19 is believed to be improper. Claim 2 requires "lower and upper foam panel[s] interconnected along their whole area of contact." As previously discussed, Häseker '992

does not disclose foam panels. In addition, Figure 2b does not show foam panels interconnected along their whole area of contact as asserted by the Examiner. Instead, Figure 2b shows cavities in the “corrugated cardboard layers” of the support structure 1 (column 2, lines 56-62) and makes absolutely no reference to being interconnected along their whole area of contact as required by claim 2. Similarly, Häseker ‘992 does not disclose the foam panel thickness characteristics found in claims 3, 4, and 6. For these reasons, Applicants request that these rejections be withdrawn.

Claim 19 recites a support layer having “a flexural strength greater than the decorative layer and the intermediate layer.” The Examiner contends that Häseker ‘992 discloses “a support layer [that] has a compressive strength greater than the intermediate and decorative layer” (see Office Action, page 4, paragraph 6, underlining added for emphasis). However, the Examiner has not provided any reference that discloses flexural strength as required by claim 19. As such, the rejection of claim 19 is improper and Applicants request that this rejection be withdrawn.

#### **Rejection Under 35 U.S.C. § 103**

Claims 1, 5, 13 and 20 were rejected under § 103(a) as being unpatentable over Häseker ‘992. No additional reference or support was cited for the rejection of claim 1. Therefore, Applicants believe that a *prima facie* case for the rejection of claim 1 has not been established under either §102(b) as previously discussed or §103(a).

Applicants also believe that claim language was improperly ignored in rejecting claims 5, 13 and 20 for the following reasons.

Claim 13 recites that the “upper and lower foam panels have different porosities.” The Examiner contends that since Häseker ‘992 discloses “upper and lower foam layers [having] different material thickness” that somehow “each layer would then have different porosities” (see Office Action, page 4, paragraph 6). As previously discussed, Häseker ‘992 does not disclose foam panels. Moreover, Häseker ‘992 does not provide any

teaching regarding porosity. Furthermore, the Examiner has provided no reference or support for the assumption that material thickness is related to porosity. As such, a *prima facie* case has not been established and Applicants request the rejection be withdrawn.

Claims 5 and 20 recite material thickness ratios. Specifically, claims 5 and 20 recite ratios of material thicknesses of the lower and upper foam panels of "0.01 to 0.95" and "0.3 to 0.75", respectively. As previously discussed, Häseker '992 does not disclose foam panels. In addition, the Examiner failed to provide any reference disclosing material thickness ratios. As such, a *prima facie* case has not been established and Applicants request the rejection be withdrawn.

Claims 1, 11, 12, 17 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Häseker '992 in view of U.S. Patent No. 4,541,885 to Caudill et al. (hereinafter "Caudill '885"). No additional reference or support from Caudill '885 was presented to support the rejection of claim 1. Therefore, Applicants believe that a *prima facie* case for the rejection of claim 1 has not been established under either §102(b) as previously discussed or under §103(a) in view of Caudill '885. Since a *prima facie* case has not been established, Applicants that request this rejection be withdrawn.

Applicants believe that there is no suggestion or motivation to combine Häseker '992 and Caudill '885. Häseker '992 relates to vehicle roof liners. In contrast, Caudill '885 deals with a decorative seat cover assembly (see column 1, lines 7-8). As such, Caudill '885 is not in the same field of art as Häseker '992. Furthermore, Caudill '885 does not address the particular problem with which the Applicants are concerned. The present application solves the problem of providing an interior roof lining component with both improved geometric adaptability and increased acoustic absorption (see page 2, line 4-7). In contrast, Caudill '885 addresses the problem of adding decorative embossing to a relatively thick urethane foam layer using dielectric embossing technology (see column 2, lines 5-9). As such, it is respectfully believed that a person of ordinary skill in the vehicle roof liner art


would not look to the vehicle seating art, and more particularly to Caudill '885, to solve the problem addressed by the present application. Therefore, the Examiner's proposed combination of references is believed to be improper.

**Conclusion**

Applicants have made a genuine effort to respond to the Examiner's rejections in advancing the prosecution of this case. Applicants believe all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

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